

**MINUTES OF THE FORMAL BOARD OF DIRECTORS' MEETING  
SEPTEMBER 26, 2019**

**LEGISLATION AND PUBLIC OUTREACH COMMITTEE**

**CALL TO ORDER/ROLL CALL**

Chair Butkiewicz called the Legislation and Public Outreach Committee to order at 9:02 a.m. Committee members present were Chair Butkiewicz, Vice Chair Katz, and Directors Cherashore\*, Guerin\*, Hilliker, Leonard, Madaffer, Masson, Miller, Mosca, and Steiner. Committee members absent were Vice Chair Hall, and Directors Croucher, Kennedy, and Supervisor Desmond. Also present were Directors Arant, Barnum, Boyle, Cate, Fong-Sakai, Hedberg, Heinrichs, Hogan, Murtland, Saxod, and Smith. At that time, there was a quorum of the Board, and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Manager Denham, Director of Public Outreach and Conservation Vedder, Director of Administrative Services Foster, Government Relations Manager Farrel, and Public Affairs Representative Balben. Also present was Timothy McLarney, Ph.D. of True North Research, Inc.

**ADDITIONS TO AGENDA**

There were no additions to the agenda.

**PUBLIC COMMENT**

There were no members of the public who wished to speak.

**CHAIR'S REPORT**

Chair Butkiewicz announced that the 2018 Annual Report had been honored with an APEX Award of Excellence in a nationwide competition.

Chair Butkiewicz stated that he traveled to Washington, DC with Chair Madaffer, Ms. Kerl, and Mr. Denham, as part of the San Diego Regional Chamber of Commerce's annual visit to discuss water related issues, on September 23, 2019. Mr. Denham stated that during the visit they attended meetings with staff members regarding regional conveyance.

**DIRECTORS' COMMENTS**

Director Arant brought forward his concern about an op-ed written by Chair Butkiewicz regarding SB1 (Beall) Transportation funding.

\* Director Cherashore arrived at 9:13 a.m.

**I. CONSENT CALENDAR**

There were no Consent Calendar items.

## II. ACTION/DISCUSSION/PRESENTATION

1. Legislative issues.
  - 1-A Washington report by Ken Carpi.
  - 1-B Sacramento report.

Mr. Farrel provided a Sacramento report which included an update on the status of Water Authority Sponsored bills and bond measures, and the state legislature's 2019 session. He also provided a preview of possible 2020 legislative issues.

\* Director Guerin arrived at 9:22 a.m.

2. 2019 Public Opinion Survey.

Mr. Foster, Mr. Balben, and Dr. McLarney presented a review of the 2019 public opinion survey which measured and tracked public awareness, knowledge, and attitudes as they related to water.

3. Quarterly Water Conservation Garden Report.

Item II-3. was continued to the October 24, 2019 committee meeting.

## III. INFORMATION

The following Information item was received and filed:

1. Government Relations Update.

## IV. CLOSED SESSION

There were no Closed Session items.

## V. ADJOURNMENT

There being no further business to come before the Legislation and Public Outreach Committee, Chair Butkiewicz adjourned the meeting at 10:11 a.m.

## WATER PLANNING AND ENVIRONMENTAL COMMITTEE

### CALL TO ORDER/ROLL CALL

Chair Heinrichs called the Water Planning and Environmental Committee meeting to order at 10:17 a.m. Committee members present were Chair Heinrichs, Vice Chairs Boyle and Wilson, and Directors Arant, Ayala, Barnum, Bebee, Cate, Hedberg, and Hogan. Committee members absent were Directors Butkiewicz, Kennedy, Lewinger, Morrison, and Supervisor Desmond. Also present were Directors Cherashore, Fong-Sakai, Hall, Leonard, Masson, Mosca, Murtland, Saxod, Smith, Steiner, Udrys, and Watkins. At that time, there was a quorum of the Board, and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Manager Denham, Director of Water Resources Gage, Director of Public Outreach and Conservation Vedder, Water Resources Manager Crutchfield, and Principal Water Resources Specialists Stadler and Stephenson.

#### **ADDITIONS TO THE AGENDA**

There were no additions to the agenda.

#### **PUBLIC COMMENT**

There were no members of the public who wished to speak.

#### **CHAIR'S REPORT**

Chair Heinrichs welcomed everyone in attendance and announced that during the month of August 2019, the Carlsbad Desalination Plant reached a new project record for water production in a single month. The plant was able to produce over 4,700 acre-feet of water that month, the most since the plant started commercial operations in December 2015. To date, the plant has produced more than 160,000 acre-feet (52 billion gallons) of drought proof, high-quality desalinated water.

#### **DIRECTORS' COMMENTS**

There were no Directors' comments.

#### **I. CONSENT CALENDAR**

1. Amendment to Program Contract with San Diego Gas & Electric for the Residential Low-Income Water-Energy Collaboration.  
Staff recommendation: Authorize the General Manager to execute an amendment to increase the contract capacity of the Residential Low-Income Water-Energy Collaboration Program Contract (ESA) with San Diego Gas & Electric (SDG&E) by \$245,000, from \$150,000 to \$395,000.

Director Ayala moved, Director Cate seconded, and the motion to approve staffs' recommendation passed unanimously.

#### **II. ACTION/DISCUSSION/PRESENTATIONS**

1. Resolution for Integrated Regional Water Management Proposition 1 Implementation Grant.  
Staff recommendation: Adopt Resolution No. 2019-17 authorizing the General Manager or her designee to submit a 2019 Integrated Regional Water Management (IRWM) Proposition 1 Implementation Grant application for \$15,346,156, accept the grant funds that are awarded, and enter into contracts to distribute funds to the project sponsors.

Mr. Stadler provided a presentation that included an overview of Integrated Regional Water Management and the Department of Water Resources Proposition 1, Round 1

Implementation Grant. He discussed the project selection workgroup, workgroup results, recommended priority projects, and project alternatives.

Staff responded to questions posed by Directors Murtland and Steiner.

Director Guerin moved, Director Ayala seconded, and the motion to approve staffs' recommendation passed unanimously.

2. Report on Claude "Bud" Lewis Carlsbad Desalination Plant Operations for Fiscal Year 2019.

Mr. Crutchfield provided a presentation that included an overview of the Claude "Bud" Lewis Carlsbad Desalination Plant, water delivery, water quality/regulatory compliance, costs, and a breakdown of the water purchase price.

Staff responded to questions and comments posed by Directors Hogan, Arant, Mosca, Hedberg, Bebee, Watkins, and Hall.

3. Update on Implementation of Senate Bill 606 and Assembly Bill 1668.

Mr. Stephenson provided a presentation that reviewed background information and discussed stakeholder workgroups, stakeholder workgroup membership, status of stakeholder workgroups, and next steps.

Staff responded to questions posed by Directors Arant and Cherashore.

### **III. INFORMATION**

The following Information item was received and filed:

1. Water Resources report.

### **IV. CLOSED SESSION**

Mr. Hattam took the committee into Closed Session at 10:56 a.m.

1. Conference with Legal Counsel – Anticipated Litigation  
Government Code §54956.9(d)(2)  
One Case (claim available for public inspection pursuant to Government Code §54957.5)

Mr. Hattam brought the committee out of Closed Session at 11:33 a.m. and stated there was no reportable action.

### **V. ADJOURNMENT**

There being no further business to come before the Water Planning and Environmental Committee, Chair Heinrichs adjourned the meeting at 11:34 a.m.

**IMPORTED WATER COMMITTEE**  
**CALL TO ORDER / ROLL CALL**

Vice Chair Cherashore called the Imported Water Committee meeting to order at 11:37 a.m. Committee members present were Vice Chairs Barnum and Cherashore, and Directors Fong-Sakai, Guerin, Hall, Hogan, Madaffer, Masson, Preciado, Saxod, and Scalzitti. Committee members absent were Chair Lewinger, and Directors Evans and Morrison. Also present were Directors Arant, Bebee, Boyle, Butkiewicz, Cate, Hedberg, Hilliker, Leonard, Miller, Mosca, Murtland, Smith, Steiner, Watkins, Udrys, and MWD Delegate Goldberg. At that time, there was a quorum of the Board and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Manager Denham, MWD Program Director Chen, and Colorado River Program Director Rodgers.

**ADDITIONS TO AGENDA**

There were no additions to the agenda.

**PUBLIC COMMENT**

There were no members of the public who wished to speak.

**CHAIR'S REPORT**

Vice Chair Cherashore briefed the Board on the biennial Colorado River Symposium held in Santa Fe, New Mexico September 18-20, 2019.

**DIRECTORS' COMMENTS**

There were no Directors' comments.

**I. CONSENT CALENDAR**

There were no Consent Calendar items.

**II. ACTION/DISCUSSION/PRESENTATION**

1. MWD Issues and Activities Update.
  - 1-A Metropolitan Water District Delegates Report.

The Delegates reported on discussion and action taken at recent MWD Board meetings and provided a summary of recent MWD tour activities.

- 1-B Metropolitan Water District Demand Management Cost Allocation Discussion.

Ms. Chen presented on MWD's Demand Management Cost Allocation covering background, rate design alternatives, Water Authority's observations and concerns, and next steps.

Staff responded to questions and comments posed by the Board.

### **III. INFORMATION**

The following Information item was received and filed:

1. Metropolitan Water District Program Report.

### **IV. CLOSED SESSION**

Mr. Hattam took the committee into Closed Session at 12:15 p.m.

1. Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
SDCWA v. Metropolitan Water District of Southern California;  
San Francisco Superior Court Case Nos. CPF-10-510830; CPF-12-512466; CPF-14-514004; CPF-16-515282; CPF-16-515391; CGC-17-563350; CPF-18-516389; California Court of Appeal (1<sup>st</sup> District) Case Nos. A146901; A148266; A154325; California Supreme Court Nos. S243500; and S251025
2. Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
Food & Water Watch and Center for Food Safety v. Metropolitan Water District of Southern California and All Persons Interested in the Matter; Los Angeles Superior Court Case No. BC 720692; California Court of Appeal (2<sup>nd</sup> District) Case No. B297553

Mr. Hattam brought the committee out of Closed Session at 12:57 p.m. and stated there was no reportable action.

### **V. ADJOURNMENT**

There being no further business to come before the Imported Water Committee, Vice Chair Cherashore adjourned the meeting at 12:58 p.m.

### **ENGINEERING AND OPERATIONS COMMITTEE**

#### **CALL TO ORDER / ROLL CALL**

Chair Miller called the Engineering and Operations Committee meeting to order at 1:34 p.m. Committee members present were Chair Miller, Vice Chairs Fong-Sakai and Watkins, and Directors Arant, Bebee, Hedberg, Mosca, Murtland, Preciado, Scalzitti, Smith, Steiner, and Udrys. Committee members absent were Directors Heinrichs and Simpson. Also present were Directors Ayala, Boyle, Butkiewicz, Cate, Cherashore, Guerin, Hall, Hilliker, Hogan, Katz, Leonard, Masson, Morrison, Saxod, and Supervisor Desmond. At that time, there was a quorum of the Board, and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Manager Denham, Director of Operations and Maintenance Fisher, Director of Engineering Reed, Deputy Director of Engineering Bousquet, Engineering Manager Kuzmich, and Engineer (P.E) Oleksyn.

#### **ADDITIONS TO AGENDA**

There were no additions to the agenda.

#### **PUBLIC COMMENT**

There were no members of the public who wished to speak.

#### **DIRECTORS' COMMENTS**

There were no Directors' comments.

#### **CHAIR'S REPORT**

Chair Miller reported that on September 12, 2019 staff from the Engineering, and Operations and Maintenance Departments, took members of the E&O Committee on a tour of facilities in construction, and in operation. The tour included two construction projects the Northern First Aqueduct Rehabilitation project, and Vallecitos Water District 11/Vista Irrigation District 12 Flow Control Facility project. He stated the tour concluded with a visit to the Lake Hodges Pumped Storage Facility which was in operation. His report included photos and background information from the tour.

#### **I. CONSENT CALENDAR**

There were no Consent Calendar items.

#### **II. ACTION/DISCUSSION/PRESENTATION**

1. San Vicente Project Negotiations Work Group update.

Director Watkins provided an update on the San Vicente Project Negotiations Work Group. He stated the work group met and discussed Senate Bill 597 and added the detailed project development agreement negotiations were on hold until an outcome on SB 597 is determined in early 2020.

2. Energy Program Status Update.

Mr. Bousquet presented an update on the Energy Program that included a review of the Carlsbad Desalination Plant Energy Reduction and Direct Access lottery results. He stated the Water Authority was number 257 and Poseidon was number 330, indicating no Direct Access for the Water Authority for 2019. He stated the California Public Utilities Commission had approved the Renewable Energy Self-Generation Bill Credit Transfer Program advice letter, to transfer energy generated at the Rancho Penasquitos Hydroelectric Facility to the Carlsbad Desalination Plant, and announced staff was interviewing a firm who responded to the Energy Technical Advisor request for proposals. Mr. Bousquet concluded the presentation with a

review of Energy Storage Senate Bill 597, (Hueso) and an updated San Vicente Energy Storage Facility project timeline.

3. Professional services contracts with Capo Projects Group; Management Solutions, LLC; and MW Construction Services, Inc. for cost estimating and constructability review services, as-needed.

Staff recommendation: Authorize the General Manager to award professional services contracts to Capo Projects Group for \$200,000; Management Solutions, LLC for \$200,000; and MW Construction Services, Inc. for \$200,000 for cost estimating and constructability review services, as-needed, for a period of four years.

Mr. Oleksyn presented on the as-needed contracts for cost estimating and constructability review services.

Director Arant moved, Director Steiner seconded, and the motion to approve staffs' recommendation passed unanimously.

4. Construction contracts and continuation of emergency declaration for the repair of Pipeline 4 in Moosa Canyon.

Staff recommendations:

- a. Ratify the emergency contract with J.F. Shea Construction, Inc. in the amount of \$950,000 for the repair of Pipeline 4 in Moosa Canyon.
- b. Ratify the emergency contract with Fibwrap Construction Services, Inc. in the amount of \$871,342 for the carbon fiber repair of Pipeline 4 in Moosa Canyon.
- c. Authorize the continuation of the emergency declaration for the repair of Pipeline 4 in Moosa Canyon.

Ms. Kuzmich provided a presentation on the Pipeline 4 leak in Moosa Canyon that included actions to date, future actions, construction contracts, and a review of staff recommendations.

Director Arant moved, Director Preciado seconded, and the motion to approve staffs' recommendations passed unanimously.

### **III. INFORMATION**

There were no Information items.

### **IV. CLOSED SESSION**

There were no Closed Session items.



**V. ADJOURNMENT**

There being no further business to come before the Engineering and Operations Committee, Chair Miller adjourned the meeting at 2:26 p.m.

**ADMINISTRATIVE AND FINANCE COMMITTEE**  
**CALL TO ORDER / ROLL CALL**

Chair Hilliker called the Administrative and Finance Committee meeting to order at 2:36 p.m. Committee members present were Chair Hilliker, Vice Chairs Ayala and Leonard, and Directors Boyle, Cate, Katz, Murtland, Saxod, Smith, Udrys, and Watkins. Committee members absent were Directors Croucher, Evans, Simpson, and Wilson. Also present were Directors Arant, Bebee, Butkiewicz, Cherashore, Fong-Sakai, Hall, Hedberg, Hogan, Masson, Miller, Morrison, Mosca, Preciado, Scalzitti, Steiner, and Supervisor Desmond. At that time, there was a quorum of the Board and the meeting was conducted as a meeting of the Board; however, only committee members participated in the vote.

Staff present was Acting General Manager Kerl, General Counsel Hattam, Assistant General Manager Denham, Director of Finance/Treasurer Harris, Director of Administrative Services Foster, Rate and Debt Manager Rossum, Budget and Treasury Manager Whyte, Controller Woidzik, and Administrative Services Manager Troche.

**ADDITIONS TO AGENDA**

There were no additions to the agenda.

**PUBLIC COMMENT**

There were no members of the public who wished to speak.

**CHAIR'S REPORT**

Chair Hilliker announced that the printed Adopted General Manager Budget was distributed to all board members.

Chair Hilliker congratulated Purchasing staff for receiving the Annual Achievement of Excellence in Procurement Award from the National Procurement Institute for the sixth year in a row.

**DIRECTORS' COMMENTS**

There were no Directors' comments.

**I. CONSENT CALENDAR**

1. Monthly Treasurer's Report on Investments and Cash Flow.  
Staff recommendation: Note and file the Treasurer's report.

Director Murtland moved, Director Boyle seconded and the motion to approve staffs' recommendation passed unanimously.

## II. ACTION/DISCUSSION/PRESENTATION

### 1. Fiscal Sustainability Task Force Update.

Chair Hilliker began the presentation by reviewing the guiding principles adopted by the task force.

Ms. Harris provided a summary of the last three meetings of the task force, reviewed Transitional Special Agricultural Water Rate (TSAWR) cost of service considerations, alternatives for future agricultural rates, and SAWR next steps. She concluded the presentation with a review of the task force's next steps.

Director Steiner offered comments to the guiding principles and thanked the task force for their work.

### 2. Controller's Report on Monthly Financial Activity.

Chair Hilliker announced that in the interest of time, in lieu of a presentation, the item would move to Information.

## III. INFORMATION

The following information items were received and filed:

1. Report on purchase orders and contracts for goods and services above \$10,000.
2. Board Calendar.
3. Controller's Report on Monthly Financial Activity.

## IV. CLOSED SESSION

There were no Closed Session items.

## V. ADJOURNMENT

There being no further business to come before the Administrative and Finance Committee, Chair Hilliker adjourned the meeting at 2:50 p.m.

### **FORMAL BOARD OF DIRECTORS' MEETING OF SEPTEMBER 26, 2019**

1. **CALL TO ORDER** Secretary Guerin called the Formal Board of Directors' meeting to order at 2:55 p.m.
2. **SALUTE TO THE FLAG** Secretary Guerin led the salute to the flag.
3. **ROLL CALL, DETERMINATION OF QUORUM**  
Deputy Clerk of the Board Walker called the roll. Directors present were Arant, Ayala, Bebee, Boyle, Butkiewicz, Cate, Fong-Sakai, Guerin, Hall, Hedberg, Hilliker, Hogan, Katz, Leonard, Madaffer\*, Masson, Miller, Morrison, Mosca, Murtland, Preciado,

Saxod, Scalzitti, Smith, Steiner, Udrys, Watkins, and Supervisor Desmond. Directors absent were Barnum, Cherashore, Croucher, Evans(p), Heinrichs, Kennedy, Lewinger(p), Simpson, and Wilson.

- 3-A **Report on proxies received.** Director Hall was the proxy for Director Lewinger, and Director Guerin was the proxy for Director Evans.

4. **ADDITIONS TO AGENDA**

There were no additions to the agenda.

5. **APPROVAL OF MINUTES**

Director Ayala moved, Director Katz seconded, and the motion carried at 88.83% of the vote to approve the minutes of the Formal Board of Directors' meeting of August 22, 2019.

6. **OPPORTUNITY FOR MEMBERS OF THE PUBLIC WHO WISH TO ADDRESS THE BOARD ON MATTERS WITHIN THE BOARD'S JURISDICTION.**

There were no members of the public who wished to speak.

7. **PRESENTATIONS & PUBLIC HEARINGS**

7-A Recognition of Eric Larson.

Secretary Guerin presented a proclamation to Eric Larson that recognized his many years of service to the San Diego County region, upon his retirement from the San Diego County Farm Bureau.

Director Arant commented on the contributions and dedication of Mr. Larson over his years of public service within San Diego county, specifically related to his support of agriculture and the agricultural industry.

7-B Presentation of Directors' Service Certificates.

Acting General Manager Kerl presented Secretary Guerin with a service certificate recognizing five years of service to the San Diego County Water Authority Board of Directors.

8. **REPORTS BY CHAIRS**

8-A Chairs report: Secretary Guerin requested Ms. Kerl provide a report to the Board regarding the San Diego Chamber of Commerce annual trip to Washington D.C.

Ms. Kerl reported on her attendance at the annual San Diego Chamber of Commerce trip to Washington D.C with Chair Madaffer, Directors Butkiewicz and Cate, and Assistant General Manager Denham. She stated with 163 members in attendance, it was the one of the largest delegations they had to-date. She

added that the Water Authority had sponsored a breakfast at the event and Chair Madaffer provided a presentation to attendees. Ms. Kerl reported that during the trip various meetings were arranged with the Bureau of Reclamation, EPA, and other key stakeholders to discuss key water issues in the region. She thanked staff at the Chamber of Commerce and at the Water Authority for a successful event.

Director Butkiewicz made comments regarding the trip and thanked staff involved.

\* Chair Madaffer arrived at 3:09 p.m.

8-B Report by Committee Chairs:

Legislation and Public Outreach Committee. Director Butkiewicz reviewed the meeting and stated that no action was taken.

Water Planning and Environmental Committee. Director Boyle reviewed the meeting and the action taken.

Imported Water Committee. Director Cherashore reviewed the meeting and stated that no action was taken.

Engineering and Operations Committee. Director Miller reviewed the meeting and the action taken.

Administrative and Finance Committee. Director Hilliker reviewed the meeting and the action taken.

9. **CONSENT CALENDAR**

Director Cate moved, Director Ayala seconded, and the motion carried at 88.83% of the vote to approve the Consent Calendar. Directors voting no, or abstaining are listed under the item.

9- 1. Amendment to Program Contract with San Diego Gas & Electric for the Residential Low-Income Water-Energy Collaboration.

The Board authorized the General Manager to execute an amendment to increase the contract capacity of the Residential Low-Income Water-Energy Collaboration Program Contract (ESA) with San Diego Gas & Electric (SDG&E) by \$245,000, from \$150,000 to \$395,000.

9- 2. Resolution for Integrated Regional Water Management Proposition 1 Implementation Grant.

The Board adopted Resolution No. 2019-17 authorizing the General Manager or her designee to submit a 2019 Integrated Regional Water Management (IRWM) Proposition 1 Implementation Grant application for \$15,346,156, accept the grant funds that are awarded, and enter into contracts to distribute the funds to the project sponsors.

- 9- 3. Professional services contracts with Capo Projects Group; Management Solutions, LLC; and MW Construction Services, Inc. for cost estimating and constructability review services, as-needed.  
The Board authorized the General Manager to award professional services contracts to Capo Projects Group for \$200,000; Management Solutions, LLC for \$200,000; and MW Construction Services, Inc. for \$200,000 for cost estimating and constructability review services, as-needed, for a period of four years.
- 9- 4. Construction contracts and continuation of emergency declaration for the repair of Pipeline 4 in Moosa Canyon.  
The Board ratified the emergency contract with J.F. Shea Construction, Inc. in the amount of \$950,000 for the repair of Pipeline 4 in Moosa Canyon, ratified the emergency contract with Fibrwrap Construction Services, Inc. in the amount of \$871,342 for the carbon fiber repair of Pipeline 4 in Moosa Canyon, and authorized the continuation of the emergency declaration for the repair of Pipeline 4 in Moosa Canyon.
- 9- 5. Monthly Treasurer's Report on Investments and Cash Flow.  
The Board noted and filed the Treasurer's report.

10. **ACTION/DISCUSSION**  
10-A Detachment Update.

General Counsel Hattam provided an update on the possible detachment of Rainbow MWD and Fallbrook PUD from the Water Authority, and potential impacts that would follow.

Ms. Kerl reported that she had met with the General Managers of both agencies on September 16, 2019 to discuss issues and would meet again on October 3, 2019 to determine how to move forward cooperatively and discuss next steps.

Director Bebee provided comments addressing the possible detachment of the agencies and rate neutrality.

Director Preciado and Supervisor Desmond asked questions and made comments and Chair Madaffer and Ms. Kerl provided answers.

10-B General Manager recruitment update. – Chair Madaffer provided an update on the General Manager recruitment process. He stated the application period had closed on August 31, 2019 and that 32 applications were received, which had been screened down to six. He reported that the Task Force met with the recruitment firm on September 17, 2019 to review the six applications and it was determined that they would all move forward to a confidential interview panel on October 8, 2019. He stated that following the October 8 panel interview, the Board would have a chance to interview the final applicants, and deliberate, at a Special Board

Meeting on November 14, 2019. Chair Madaffer turned it over to Secretary Guerin to provide comments.

Secretary Guerin provided comments on a confidentiality breach that had taken place on our Board regarding the identities of possible applicants being shared at a public Board meeting. She expressed her disappointment with the Director involved and reminded the Board of confidentiality issues.

Chair Madaffer reiterated the comments of Secretary Guerin and stressed the importance of being confidential and respectful to all involved in the recruitment process.

11. **SPECIAL REPORTS**

11-A ACTING GENERAL MANAGER'S REPORT – Ms. Kerl announced that NBC had recorded a piece on Pipeline 4 and the Water Authority process of getting the pipeline back in operation. The special was scheduled to air that evening at 4:30 p.m. and 6:00 p.m.

11-B GENERAL COUNSEL'S REPORT – Mr. Hattam stated he had nothing further to report.

11-C SANDAG REPORT – Director Morrison stated the meeting was scheduled for September 27, 2019.  
SANDAG Subcommittees:  
Borders Committee – Director Saxod stated the meetings were cancelled for August and September.  
Regional Planning Committee – Director Leonard stated the meeting was cancelled.

11-D AB 1234 Compliance Reports – No reports were given.

12. **CLOSED SESSION(S)**

Mr. Hattam stated there would be no Closed Session.

12-A Conference with Legal Counsel – Anticipated Litigation  
Government Code §54956.9(d)(2)  
One Case (claim available for public inspection pursuant to Government Code §54957.5)

- 12-B Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
SDCWA v. Metropolitan Water District of Southern California; San Francisco Superior Court Case Nos. CPF-10-510830; CPF-12-512466; CPF-14-514004; CPF-16-515282; CPF-16-515391; CGC-17-563350; CPF-18-516389; California Court of Appeal (1<sup>st</sup> District) Case Nos. A146901; A148266; A154325; California Supreme Court Case Nos. S243500; and S251025
- 12-C Conference with Legal Counsel – Existing Litigation  
Government Code §54956.9(d)(1)  
Food & Water Watch and Center for Food Safety v. Metropolitan Water District of Southern California and All Persons Interested in the Matter; Los Angeles Superior Court Case No. BC 720692; California Court of Appeal (2<sup>nd</sup> District) Case No. B297553

13. **ACTION FOLLOWING CLOSED SESSION**

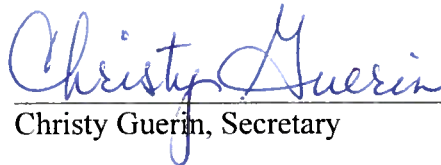
14. **OTHER COMMUNICATIONS**

15. **ADJOURNMENT**

There being no further business to come before the Board, Chair Madaffer adjourned the meeting at 3:36 p.m.



Jim Madaffer, Chair



Christy Guerin, Secretary



Melinda Nelson, Clerk of the Board